

EXHIBIT 1

FILED UNDER SEAL

From: Chang, Esther Kim
Sent: Wednesday, August 16, 2017 5:04 PM
To: Felipe Corredor; John Cooper
Cc: Gonzalez, Arturo J.; David Perlson; Pardini, Thomas Julian; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate; BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys
Subject: Waymo v. Uber: August 17 Inspection of Uber design files and LiDARs

Felipe,

Yes, we can accommodate a 9 am start time for tomorrow's inspection. Mr. Cooper has confirmed that 9 am would work for him (although a later start time is preferable). Please check in at 765 Harrison. As stated previously, we will conduct the design file inspection at 765 Harrison and the inspection of the LiDARs at MoFo's office.

Unfortunately, we will not be able to provide a second computer to access the CAD file repositories. If you need additional time, we can accommodate a second day of inspection.

The SPICE files were produced previously in native format and thus will not be made available for inspection. The files have Bates numbers UBER00224342 and UBER00224343.

Finally, please note that pursuant to Judge Corley's order, the Otto software files will also be available for inspection tomorrow at 765 Harrison.

Esther
Tel: (415) 268-7562

From: Felipe Corredor [mailto:felipecorredor@quinnemanuel.com]
Sent: Wednesday, August 16, 2017 1:51 PM
To: Chang, Esther Kim; John Cooper
Cc: Gonzalez, Arturo J.; David Perlson; Pardini, Thomas Julian; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate; BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys
Subject: RE: Waymo v. Uber: Inspection of Waymo's LiDARs and Firefly

- External Email -

Esther and John,

Would it be possible to accommodate our request to start the inspection at 9am tomorrow?

Thank you,
Felipe

From: Felipe Corredor
Sent: Tuesday, August 15, 2017 2:43 PM
To: 'Chang, Esther Kim' <echang@mofo.com>; John Cooper <JCooper@fbm.com>
Cc: Gonzalez, Arturo J. <AGonzalez@mofo.com>; David Perlson <davidperlson@quinnemanuel.com>; Pardini, Thomas Julian <TPardini@mofo.com>; Villegas, Ethel <EVillegas@mofo.com>; QE-Waymo <gewaymo@quinnemanuel.com>; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate <MCate@fbm.com>;

BSF_EXTERNAL_UberWaymoLit@bsflp.com; UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>

Subject: RE: Waymo v. Uber: Inspection of Waymo's LiDARs and Firefly

Esther,

For the August 17 inspection, I will attend along with Prof. Hesselink and Dr. Wolfe. To make the inspection efficient, we request two computers. Please ensure that one of the computers is configured to access Altium files and SPICE files for the Fuji transmit boards. Mr. Treichler testified about these files in his deposition yesterday. In addition, we would like to start the inspection at 9 am instead of 10 am.

Thank you,
Felipe

From: Chang, Esther Kim [<mailto:echang@mofo.com>]

Sent: Tuesday, August 08, 2017 4:06 PM

To: John Cooper <JCooper@fbm.com>

Cc: Felipe Corredor <felipecorredor@quinnemanuel.com>; Gonzalez, Arturo J. <AGonzalez@mofo.com>; David Perlson <davidperlson@quinnemanuel.com>; Pardini, Thomas Julian <TPardini@mofo.com>; Villegas, Ethel <EVillegas@mofo.com>; QE-Waymo <gewaymo@quinnemanuel.com>; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate <MCate@fbm.com>; BSF_EXTERNAL_UberWaymoLit@bsflp.com; UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>

Subject: Re: Waymo v. Uber: Inspection of Waymo's LiDARs and Firefly

Thank you very much, John. Confirming that we are starting at 10 am. I look forward to spending another day with you and Waymo's counsel.

Esther

On Aug 8, 2017, at 3:54 PM, John Cooper <JCooper@fbm.com> wrote:

- External Email -

Esther

I will attend the inspection on August 17 at 737 Harrison. Please confirm that it will begin at 10:00 am.

John

John L. Cooper
Farella Braun + Martel LLP
Direct: 415 954 4410
jcooper@fbm.com

On Aug 8, 2017, at 3:25 PM, Chang, Esther Kim <echang@mofo.com> wrote:

Felipe,

Thank you for confirming August 14 for the inspection of Waymo's LiDARs at Quinn Emanuel's Redwood Shores office. Will the LiDARs be labeled, or will there be someone present that can identify the various LiDARs? In addition, please confirm that you will

have a camera present for us to use. We can bring a camera, if needed. Tom Pardini and our expert Michael Lebby will arrive at 9 am on Monday.

Please provide proposed dates for the inspection of Firefly, so that we can confirm availability of our expert.

Finally, we confirm the August 17 inspection of Uber's LiDARs and CAD files on August 17 at 737 Harrison (please enter by way of 765 Harrison). John, defendants Uber and Ottomotto request your

Esther
Tel: (415) 268-7562

From: Felipe Corredor [<mailto:felipecorredor@quinnemanuel.com>]
Sent: Monday, August 07, 2017 9:49 PM
To: Chang, Esther Kim; Gonzalez, Arturo J.; David Perlson; Pardini, Thomas Julian; 'John Cooper'; Villegas, Ethel; QE-Waymo; 'DG-GPOttoTruckingWaymo@goodwinlaw.com'; 'Matthew Cate'
Cc: 'BSF_EXTERNAL_UberWaymoLit@bsflp.com'; UberWaymoMoFoAttorneys
Subject: RE: Waymo v. Uber: Inspection of Waymo's LiDARs and Firefly

- External Email -

Esther,

The inspection of units of Waymo's [REDACTED] LiDARs can go forward on August 14 at Quinn Emanuel's Redwood Shores office. Please note that [REDACTED]. We are also looking into the availability of a Firefly car and hope to get back to you on its availability and location for inspection shortly. Because of logistical constraints, we will limit the inspection of Firefly to no more than 2 hours, which is more than enough time to inspect it.

We also do not request the presence of Special Master Cooper at the inspection, though he is of course welcome to attend.

Please confirm that we may proceed with inspection of Uber's LiDARs and CAD files on August 17.

Regards,
Felipe

From: Chang, Esther Kim [<mailto:echang@mofo.com>]
Sent: Thursday, August 03, 2017 11:47 AM
To: Gonzalez, Arturo J. <AGonzalez@mofo.com>; Felipe Corredor <felipecorredor@quinnemanuel.com>; David Perlson <davidperlson@quinnemanuel.com>; Pardini, Thomas Julian <TPardini@mofo.com>; 'John Cooper' <JCooper@fbm.com>; Villegas, Ethel <EVillegas@mofo.com>; QE-Waymo <gewaymo@quinnemanuel.com>; 'DG-GPOttoTruckingWaymo@goodwinlaw.com' <DG-GPOttoTruckingWaymo@goodwinlaw.com>; 'Matthew Cate' <MCate@fbm.com>
Cc: 'BSF_EXTERNAL_UberWaymoLit@bsflp.com' <BSF_EXTERNAL_UberWaymoLit@bsflp.com>; UberWaymoMoFoAttorneys

<UberWaymoMoFoAttorneys@mofo.com>

Subject: Waymo v. Uber: Inspection of Waymo's LiDARs and Firefly

Counsel,

Thank you for your agreement on this morning's meet and confer to proceed as outlined below. Please let us know whether we may proceed with the inspection on August 14 or August 17. Defendants Uber and Ottomotto do not require the presence of John Cooper, but welcome his presence if he would like to join.

Best regards,

Esther

Tel: (415) 268-7562

From: Chang, Esther Kim

Sent: Tuesday, August 01, 2017 9:50 PM

To: Gonzalez, Arturo J.; Felipe Corredor; David Perlson; Pardini, Thomas Julian; John Cooper; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate

Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys

Subject: RE: Waymo v. Uber: Meet and confer requested - notice of inspection

John and Jordan,

Pursuant to the parties' meet and confer today, Uber would agree to Waymo's compromise proposal to inspect units of the GBr3, GBr2, CBr, MBr, PBr, and YBr LiDARs at Quinn Emanuel's office, instead of at Waymo's Mountain View facility, and the Firefly self-driving car at Waymo's parking lot or the parking lot of a mutually agreeable location. Pursuant to the timeline set forth on the meet and confer, please let us know by noon on Thursday whether Waymo will agree.

Best regards,

Esther

Tel: (415) 268-7562

From: Chang, Esther Kim

Sent: Tuesday, August 01, 2017 1:17 PM

To: Gonzalez, Arturo J.; Felipe Corredor; David Perlson; Pardini, Thomas Julian; John Cooper; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate

Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys

Subject: RE: Waymo v. Uber: Meet and confer requested - notice of inspection

John Cooper and Felipe,

Further to Arturo's email below, given the expedited pace of this case and the truncated discovery period in this case, due to the October trial date which Waymo has consistently insisted on, Defendants believe a shorter notice period is warranted in this case. Moreover, as you know, Defendants have accommodated 12 separate inspection requests by Waymo, often on 48 hours notice – this too militates in favor of granting

Defendants' inspection request, which was served 21 days in advance of the August 17 inspection date.

We feel confident that Judge Alsup will not take too kindly to Waymo's stonewalling tactics and refusal to provide discovery, as evidenced by the exemplary hearing transcript excerpts below.

6/29/2017 Hr'g Tr. at 87:7-16

THE COURT: Well, I want Mr. Verhoeven to know he will be in big trouble.

And if -- even if I were to allow you to put on some kind of stonewalling testimony, if you stonewalled, at least they're going to get to reply with that kind of stonewalling evidence before the jury. And then -- poof! -- up goes all of your theory.

MR. VERHOEVEN: And by the same token --

THE COURT: You can't have it both ways. This is America. You don't get it both ways.

6/29/2017 Hr'g Tr. at 90:14-25

THE COURT: All right, but I can't -- all right. Potential issue. I'm not prepared to say, "Bring a motion in limine on that" yet, because discovery hasn't completed. And she's accusing you of stonewalling on this point.

I want to just say -- I'll just say you get to have discovery from Mr. Verhoeven on that theory.

And you should not be stonewalling on it. You should be turning over the documents that show that there was such a dispute.

MR. VERHOEVEN: Well, this is the first --

THE COURT: If somebody over there is stonewalling, I'm going to be upset with your side.

7/26/2017 Hr'g Tr. at 82:13-83:11

THE COURT: Well, wait a minute. Is there an issue on that? Are you stonewalling over there on the Waymo side?

MR. GONZALEZ: Yeah. Oh, yeah.

THE COURT: You should definitely make available witnesses so Ms. Dunn can probably get support for her theory.

MR. PERLSON: Your Honor, we're not stonewalling. Mr. Brun does not have unique, non-repetitive information on this issue. And we're -- there's going to be a motion for protective order that we're going to be filing this week on this issue.

THE COURT: Look, you know, you have so many people that are so important that they refuse to show up for deposition. What was that, Mr. Page there -- I forgot his name -- that wouldn't show up for his deposition, and finally Judge Corley made him show up.

MS. DUNN: It was Mr. Page, yeah.

THE COURT: Yeah. It offends me, with all the pain and suffering that you have inflicted on the court system, not you, but your client, Waymo, that when it comes time for Waymo to come across with some documents and witnesses, that they're too busy and important. You go back and tell that guy he better show up for his deposition or I'm just going to say to the jury Waymo stonewalled and wouldn't produce him, so...

MR. PERLSON: I hear you, Your Honor.

Esther

Tel: (415) 268-7562

Esther

Tel: (415) 268-7562

From: Gonzalez, Arturo J.

Sent: Tuesday, August 01, 2017 12:45 PM

To: Felipe Corredor; Chang, Esther Kim; David Perlson; Pardini, Thomas Julian; John Cooper; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate

Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys

Subject: Waymo v. Uber: Meet and confer requested - notice of inspection

John,

If "timeliness" is the issue, then we seek an order shortening time.

Arturo J. González

Chair, Commercial Litigation and Trial Practice Group

Morrison & Foerster LLP

425 Market St. | San Francisco, CA 94105

P: 415.268.7020 | F: 415.276.7020 | C: 415.425.9548

AGonzalez@mofo.com | www.mofo.com

From: Felipe Corredor [<mailto:felipecorredor@quinnemanuel.com>]

Sent: Tuesday, August 01, 2017 12:30 PM

To: Chang, Esther Kim; David Perlson; Pardini, Thomas Julian; John Cooper; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate

Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys

Subject: RE: Waymo v. Uber: Meet and confer requested - notice of inspection

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Esther,

Uber's inspection notice dated July 27, 2017 asks to "inspect at Waymo's Mountain View facility units of the GBr3, GBr2, CBr, MBr, PBr, and YBr LiDARs, and the Firefly self-driving car, as they are stored in the normal course of Waymo's business." Defendants have never inspected Waymo's physical LiDAR devices or self-driving cars or even asked to do so before serving the notice on July 27. Your email, however, refers to files that have already been made available for inspection. Your email thus has nothing to do with the inspection notice you served. Presumably, you are instead referring in your

email to the 14,000 misappropriated files the parties are also negotiating for Waymo to produce to Defendants under suitable protections. Nevertheless, while the parties reach an agreement on those protections, the files remain available for inspection at Quinn Emanuel's San Francisco office, and will remain so until the files are otherwise produced or through the close of fact discovery, whichever is first.

In addition, the parties are not similarly situated with respect to inspections. Uber is under a preliminary injunction to make available for inspection "any and all aspects of defendants' ongoing work involving LiDAR — including, without limitation, schematics, work orders, source code, notes, and emails — whether or not said work resulted in any prototype or device." (Dkt. 433 at 25 ¶ 6.) Accordingly, Waymo's inspection notice is made under the preliminary injunction order, and Waymo need not provide the 30-day notice required under Federal Rule of Civil Procedure 34. Uber's notice, under Rule 34, is too late to provide the requisite notice given that fact discovery closes on August 24.

Regards,
Felipe

From: Chang, Esther Kim [<mailto:echang@mofo.com>]
Sent: Monday, July 31, 2017 10:16 PM
To: David Perlson <davidperlson@quinnemanuel.com>; Pardini, Thomas Julian <TPardini@mofo.com>; John Cooper <JCooper@fbm.com>; Villegas, Ethel <EVillegas@mofo.com>; QE-Waymo <gewaymo@quinnemanuel.com>; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate <MCate@fbm.com>
Cc: BSF_EXTERNAL_UberWaymoLit@bsfillp.com; UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>
Subject: Waymo v. Uber: Meet and confer requested - notice of inspection

John, we would like to add this issue to tomorrow's meet and confer at 3:30 pm Pacific.

David,
Given the expedited schedule in this case and the fact that these files have already been made available for inspection (and are presumably still available on the same computer on which we previously inspected the files), we do not understand Waymo's refusal to make the files available for inspection, other than Waymo's desire to obstruct Uber's ability to defend itself. If Waymo refuses to make the files available for inspection on August 14 or 17, we would request a briefing schedule on this issue.

John, as with other source code/email inspections in this case, we do not feel that your presence is necessary, though welcome.

Esther
Tel: (415) 268-7562

From: David Perlson [<mailto:davidperlson@quinnemanuel.com>]
Sent: Monday, July 31, 2017 7:34 PM
To: Pardini, Thomas Julian; John Cooper; Villegas, Ethel; QE-Waymo; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate
Cc: BSF_EXTERNAL_UberWaymoLit@bsfillp.com; UberWaymoMoFoAttorneys
Subject: RE: Waymo v Uber - Notice of Inspection

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Counsel, please explain the basis for the timing of this inspection request. Rule 34 provides: Time to Respond. The party to whom the request is directed must respond in writing within 30 days after being served or — if the request was delivered under Rule 26(d)(2) — within 30 days after the parties' first Rule 26(f) conference. A shorter or longer time may be stipulated to under Rule 29 or be ordered by the court.

David

From: Pardini, Thomas Julian [<mailto:TPardini@mofo.com>]
Sent: Monday, July 31, 2017 11:06 AM
To: John Cooper <JCooper@fbm.com>; Villegas, Ethel <EVillegas@mofo.com>; QE-Waymo <gewaymo@quinnemanuel.com>; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate <MCate@fbm.com>
Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys <UberWaymoMoFoAttorneys@mofo.com>
Subject: RE: Waymo v Uber - Notice of Inspection

Counsel and Special Master Cooper,

We can conduct this inspection on August 17 instead. Please let us know if this works for Waymo.

Thanks,
Tom

Tom Pardini
Morrison & Foerster LLP
425 Market St. | San Francisco, CA 94105
P: +1 (415) 268.6325
TPardini@mofo.com | www.mofo.com

From: John Cooper [<mailto:JCooper@fbm.com>]
Sent: Friday, July 28, 2017 12:48 PM
To: Villegas, Ethel; gewaymo@quinnemanuel.com; DG-GPOttoTruckingWaymo@goodwinlaw.com; Matthew Cate
Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys
Subject: RE: Waymo v Uber - Notice of Inspection

- External Email -

Counsel

I am not available to attend this inspection on August 14. I can attend on August 17 or 18. John

From: Villegas, Ethel [<mailto:EVillegas@mofo.com>]
Sent: Thursday, July 27, 2017 5:10 PM
To: gewaymo@quinnemanuel.com; DG-GPOttoTruckingWaymo@goodwinlaw.com; Cooper, John (19) x4410; Cate, Matthew (20) x4469
Cc: BSF_EXTERNAL_UberWaymoLit@bsfllp.com; UberWaymoMoFoAttorneys
Subject: Waymo v Uber - Notice of Inspection

Counsel,

Please see the attached notice of inspection.

Best Regards,

Ethel Villegas | Litigation Paralegal Supervisor | Morrison & Foerster LLP
755 Page Mill Road | Palo Alto, CA 94304
P. 650.813.5765 | F. 650.251.3894 | evillegas@mofo.com

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